



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

Compliance and Enforcement Division INCIDENT REPORT

**Tesoro Refinery (Site #B2758)
Martinez, CA
July 4, 2004**

The Bay Area Air Quality Management District (Air District) today issued two Notices of Violation to the Tesoro Refinery in Martinez for odor incidents on Monday and Tuesday, March 1st and 2nd. The Air District received nine complaints of a rotten egg-type or sulfur odor on Monday and the Contra Costa Health Services Department logged 20 complaints for similar odors that day. Air District inspectors were dispatched to confirm the complaints and investigate the cause of the odors.

While four Air District inspectors continued their search, on Tuesday, March 2nd, the Air District received 20 complaints from the Concord, Bay Point and Pittsburg areas and the Contra Costa County Health Department reported numerous complaints. Inspectors from both agencies worked together on the odor nuisance problem. The Air District is continuing to investigate the situation.

Penalties amounts cannot be assessed until the full investigation into the circumstances surrounding the incident is completed. The investigation is continuing.

Update:

Air District and Tesoro Refinery Staff performed an in-depth investigation of refinery operations. Results of this investigation confirmed the refinery flare system as the source of odors. No excesses were recorded by refinery source specific emission monitors or ground level monitors.

As a result of the incident, 3 notices of violation were issued for public nuisance:

1. NOV #45959 - For an alleged violation of Regulation 1-301: Public Nuisance for odor complaints received on March 1, 2004.
2. NOV #45960 - For an alleged violation of Regulation 1-301: Public Nuisance for odor complaints received on March 2, 2004.
3. NOV #45961 - For an alleged violation of Regulation 1-301: Public Nuisance for odor complaints received on March 4, 2004.

Composition analysis of ambient air samples captured by either District inspection staff or Contra Costa Health Services staff on each of the three days revealed no significantly elevated levels of air contaminants. Further, District mobile air monitoring staff patrolled areas with elevated odors and found no elevated levels of air contaminants.